

DRAFT OPERATION AND MAINTENANCE RESPONSIBILITIES
EUREKA MILLS SUPERFUND SITE
EUREKA, UTAH

| REMEDIAL ACTION RESPONSE AREAS: | Gemini- Bullion Beck | Chief Mine No. 1 | Eagle Blue Bell Mine/ Transition/ Dump | Chief Mill Site No. 1 & EBB Haul Roads & Drainage Channels | | Eureka Hill Waste Rock | Gardner Canyon Sediment Ponds & Drainage Channel | Chief Mill Site No. 1 | Chief No. 1 Mill Tailings/ Chief Mill No. 1 | Upper Eureka Gulch | Chief Mine No. 2 | Knightsville Sediment Ponds | May Day/ Godiva Shaft/ Tunnel/ Road | Open Cell | Institutional Controls - Residential | |
|--|---|---|---|---|------------------|---------------------------------|--|---------------------------------|---|--|---------------------------------|-----------------------------------|---|--------------------------------------|---|-----------|
| LAND OWNERSHIP: | Spenst Hansen, Chief, City of Eureka | Chief >85%, Spenst Hansen & Grant Loader | Chief | Chief, Spenst Hansen | Spenst Hansen | Chief, Spenst Hansen | Chief >80%, Spense Hansen | Spenst Hansen >80%, Chief | Chief >60%, Spenst Hansen | UPRR >85%, private ownership | Spenst Hansen >70%, Chief | Chief, Spenst Hansen | Spenst Hansen | Chief | Residential | |
| RA CONDUCTED BY: | Fund-lead | Fund-lead | Fund-lead | Fund-lead | Fund-lead | Fund-lead | Fund-lead | Fund-lead | Fund-lead | UPRR | ARCO | ARCO | ARCO | Fund-lead | Fund-lead | |
| RA COMMENCEMENT DATE: | August '03 | September '03 | April '05 | Fall '04 Fall '05 | April '06 | April '07 | Summer'09 | Spring '06 | Spring'10 | August '05 | Spring '04 | Fall'03 | Spring'04 | April'06 | August '04 - Residential | |
| CONSTRUCTION COMPLETION | October'04 | Fall'10 | Fall'06 | Fall '05 Fall '06 | Fall '06 | Fall '06 | Fall'09 | Fall'09 | Fall'10 | Spring'06 | Sept. '04 | Sept. '04 | Sept. '04 | Fall'10 | | |
| RA COMPLETION DATE: ¹ | September '05 | Fall'10 | Fall '07 | Fall '07 | Fall '07 | Fall '07 | Fall'10 | Fall'10 | Fall'10 | Spring'07 | August '05 | August '05 | August '05 | Fall'10 | | |
| O/M START DATE ⁸ : | 2009 | 2011 | 2011 | 2011 | 2011 | 2009 | 2011 | 2011 | 2011 | 2011 | 2009 | 2011 | 2009 | 2011 | 2010 | |
| O/M PLAN COMPLETION DATE: | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | 10/2/2008 | | |
| PARTY RESPONSIBLE for FUNDING O/M | Spenst Hansen | State | State | State | State | Spenst Hansen | State | Spenst Hansen | Spenst Hansen | City of Eureka & private ownership | Spenst Hansen | State | Spenst Hansen | State | State | |
| PARTY DESIGNATED TO CONDUCT O/M: | Spenst Hansen | State | State | State | State | Spenst Hansen | State | Spenst Hansen | Spenst Hansen | City of Eureka & private ownership | Spenst Hansen | State | Spenst Hansen | State/City of Eureka ⁹ | City | |
| ALT. PARTY DESIGNATED TO CONDUCT/FUND O/M: | State | State | State | State | State | State | State | State | State | City of Eureka & private ownership | State | State | State | State | City | |
| FUNDING AVAILABLE ⁴ : | | | | | | | | | | | | | | | ~\$300,000 ³ | |
| ESTIMATED O/M COST (30-YR): <i>(Present Worth @ 2% discount rate which includes 5% interest rate & 3% inflation rate for columns B-N)</i> | \$278,786 // \$466,988 // \$188,202 ⁶ | | | | | | | | | | | | | | \$155,329 ⁷ | \$288,914 |
| ESTIMATED ANNUAL COST: <i>(Cost is for columns B-N)</i> | Annual cost varies depending on O/M tasks to be performed. Except for annual inspections, the O/M tasks would be performed only on an as-needed basis. The cost for the annual inspection is as follows: \$5,366 for State areas only; \$8,774 for all areas & \$3,408 for Keystone's (Spenst Hansen) areas. See tables on O/M costs for full details of estimates for All & State. | | | | | | | | | | | | | | \$6,709 | \$12,900 |
| DOCUMENT DESIGNATING O/M RESPONSIBILITIES | Consent Decree - SH & SSC | SSC | SSC | SSC | SSC | Consent Decree - SH & SSC | SSC | Consent Decree - SH & SSC | Consent Decree - SH & SSC | FEMA Regulations ² | Consent Decree -SH | SSC | Consent Decree -SH | SSC | SSC/Coopera tive Agreement w/ City of Eureka | |

Notes:
* ARCO's CD provides a cash-out - no party yet designated to conduct O/M
** UPRR's CD provides a cash-out - City will conduct O/M on UEG channel as part of their FEMA responsibilities, UPRR's property transferring to private ownership will be governed by ICs.
*** If SH is unable to fulfill his O/M responsibilities under the CD, State will assume responsibility for O/M of these areas.

¹ Completion Date includes completion of RA report for that Response Action Structure.

² FEMA requires municipalities to maintain the 100 yr flood drainages.

³ Some additional funding from excavation permit fees will be available to the City for administration of the IC program, however, the permit fees will not cover the entire cost of the IC program and the City is not in a position to assume the additional cost of the IC program.

⁴ At this time, only ~\$300,000 is available in EPA's special account which has been designate for funding the City's IC program. If additional funds are added to the special account from the sale of Chief lands, some portion of the additional funds may be added to the City's IC program as well as making the additional funds available for other O/M activities including the operation and maintenance of the Open Cell. In addition, a tentative agreement was reached to provide the flexibility to use the Portland Cement money to use at the Eurkeka Site for O&M implementation.

⁵ EPA will continue to maintain these haul roads and drainage channels until the completion of the work since these are being actively used for the project.

⁶ The 30 year estimated cost for O/M is calculated using a 2% discount rate. The 1st estimated cost is for the Remedial Action Structures (RASs) that the State is solely responsible for; the 2nd estimated cost is for all RASs except the Open Cell & ICs and the 3rd estimated cost is the Keystone's O/M responsibilities and was calculated by taking the difference between the O/M estimated cost for the State and for the O/M estimated cost for "All". The estimated costs for the Open Cell and the ICs are not included in these estimates.

⁷ This is the estimated present cost for operating the Open Cell for 30 years (discounted at 2%) plus the cost of and placing the final cap on the Open Cell @ 30 years (undiscounted) assuming that the Open Cell is full or is no longer needed for disposal of lead contaminated soils in Eureka. Yearly and operating costs include annual grading and hydromulch and final cap is hydroseed.

⁸ O/M for areas where the State has O/M responsibilities will commence on the date of RA Completion for OUs 00-03. RA Completion is the date that the RA Completion report is approved after Construction Completion for OUs 00-03. It is anticipated that Construction Completion will be achieved late in 2010 with the RA Completion report being completed within 4-6 months following the completion of construction.

⁹ The City of Eureka and the State will share the responsibilities for the operation of the Open Cell. The City will attend to the day to day tasks while the State will be responsible for the annual maintenance and the closure of the Open Cell.